

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****PATENT APPLICATION**

Inventor(s): Philip J. Barr et al.

Application No.: 10/731,375

Filed: December 8, 2003

Title: METHODS AND COMPOSITIONS FOR  
TREATMENT OF OTITIS MEDIA

Art Unit: 1617

Examiner: Kim, Jennifer M.

Confirmation No. 4368

**INFORMATION DISCLOSURE STATEMENT****UNDER 37 C.F.R. §1.97****VIA EFS****DATE: JUNE 15, 2007**Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each cited pending unpublished U.S. application, and all additional publications other than U.S. patents and U.S. patent application publications. 37 C.F.R. §§1.97-1.98.

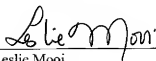
Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609. The references were cited in an office action for the corresponding European patent application.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No.: 39042-0014).

Respectfully submitted,

HELLER EHRMAN LLP

By:   
Leslie Mooi  
Reg. No.: 37,047

Dated: June 15, 2007

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|---|------------|---------------------------|---------|-------------|----------|--|
| <b>INFORMATION DISCLOSURE<br/>STATEMENT</b><br><br><b>PTO-1449</b>  |            | ATTY. DOCKET NO.          |         | SERIAL NO.  |          |  |
|   |            | 39042-0014                |         | 10/731,375  |          |  |
|   |            | APPLICANT: Philip J. Barr |         |             |          |  |
|   |            | FILING DATE: 12/08/2003   |         | GROUP: 1617 |          |  |
| <b>U.S. PATENT DOCUMENTS</b>  |            |                           |         |             |          |  |
| EXAMINER'S<br>INITIALS  | PATENT NO. | DATE                      | NAME    | CLASS       | SUBCLASS | FILING DATE  |
|   |            |                           |         |             |          |  |
|   |            |                           |         |             |          |  |
|   |            |                           |         |             |          |  |
| <b>FOREIGN PATENT DOCUMENTS</b>   |            |                           |         |             |          |  |
| EXAMINER'S<br>INITIALS  | PATENT NO. | DATE                      | COUNTRY | CLASS       | SUBCLASS | TRANSLATION  |
|   |            |                           |         |             |          | YES  |
|   |            |                           |         |             |          | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|   |            |                           |         |             |          | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| <b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>   |            |                           |         |             |          |  |
| Cotter, C.S. <i>et al.</i> , "Inhibition of Proteases in <i>Pseudomonas</i> Otitis Media in Chinchillas," Otolaryngology – Head and Neck Surgery, Vol. 115, No. 4, pps. 342-351 (1996). |            |                           |         |             |          |  |
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|   |            |                           |         |             |          |  |
| EXAMINER  |            | DATE CONSIDERED           |         |             |          |  |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.